

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 4011 OF 2009
[Arising out of SLP(C) No. 13332/2007]

K. UNNIKRISHNAN

... APPELLANT(S)

:VERSUS:

M/S. MAGNUM MAIL MANAGEMENT SERVICES PVT. LTD. ... RESPONDENT(S)
AND ANR.

ORDER

Despite service of notice, nobody appears on behalf of the respondents.

Leave granted.

By reason of the impugned judgment the High Court has modified the award of the Tribunal and no reason in support of the impugned judgment as to on what basis the amount awarded by the Tribunal was enhanced by the High Court has been stated. We are, therefore, of the opinion that having regard to the fact that the High Court was exercising its jurisdiction Section 173 of the Motor Vehicles Act, 1988, it was obligatory on its part to assign reasons.

The impugned judgment is, therefore, set aside and the matter is remitted to the High Court for consideration thereof afresh on merit.

The appeal is disposed of with the aforementioned direction.

.....J
(S.B. SINHA)

.....J
(ASOK KUMAR GANGULY)

NEW DELHI,
MAY 15, 2009.

